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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 ALEMAYEHU JIMMA,

10 Plaintiff,

11 v.

12 CITY OF SEATTLE, et al.,

13 Defendants.
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Case No. 2:18-CV-1819-RSL

ORDER DISMISSING CASE

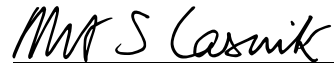
15 This matter comes before the Court on the Court's order to show cause. Dkt. #9. Plaintiff
16 Alemayehu Jimma was granted leave to proceed *in forma pauperis* on October 12, 2018. Dkt.
17 #3. He filed an Amended Complaint on November 28, 2018. Dkt. #5. On April 5, 2019, the
18 Court noted that service of the summons and complaint had not been made on defendants as
19 required by Federal Rule of Civil Procedure 4(m) and ordered plaintiff to show cause why the
20 complaint should not be dismissed. Dkt. #9; see Fed. R. Civ. P. 12(b)(5).

21 Plaintiff filed a response on April 17, 2019. Dkt. #10. He claims that "the City of Seattle
22 was served documents by the United States Postal Service" and that Assistant City Attorney
23 Susan Park ("ACA Park") "accepted service for defendants." Id. at 1. The City of Seattle filed a
24 reply on April 23, 2019, along with a declaration from ACA Park. Dkts. #11, #12. ACA Park
25 states that she did not agree to accept service. Dkt. #12 at ¶¶ 2–3. Plaintiff physically appeared
26 at the City Attorney's Office on April 15, 2019. Id. at ¶ 3. The next day, ACA Park sent a letter
27 to him stating that, "[g]iven the service delay, the lack of notice, and the fact that the pleadings
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1 are reflective of ones we are currently engaged in other litigation on, we will not complete
2 waivers of service. Additionally, it appears as if you have also exceeded the deadline for service
3 of summons.” Ex. A, Dkt. #12-1 at 2–3. She reiterated this in a second letter dated April 17,
4 2019, following a telephone conversation with plaintiff. Ex. B, Dkt. #12-2 at 6. Plaintiff has
5 failed to serve defendants. See Fed. R. Civ. P. 4(m); see Dkt. #10 at 2.

6 For all the foregoing reasons, plaintiff’s complaint is DISMISSED.

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8 DATED this 25th day of April, 2019.

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11 Robert S. Lasnik
12 United States District Judge
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